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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | | |
|--|----------------------|------------------------|-----------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 10/003,128 | |
| | Conf. No. | 5299 | |
| | Filing Date | 11/14/01 | |
| | First Named Inventor | Omura | |
| | Group Art Unit | 2613 | |
| | Examiner Name | Patrick H. Cathey II | |
| Total Number of Pages in This Submission | | Attorney Docket Number | RSM013001 |

ENCLOSURES (check all that apply)

| | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input checked="" type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | Patent Application Fee Determination Record, Postcard |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------------|-------------------------|
| Firm or Individual name | Richard A. Dunning, Jr. |
| Signature | |
| Date | 12-17-05 |

CERTIFICATE OF MAILING

| | | | |
|--|-------------------------|----------|----------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Director USPTO, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: | | | |
| | | 12-17-05 | |
| Type or printed name | Richard A. Dunning, Jr. | | |
| Signature | | Date | 12-17-05 |

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number

10/003,128

APPLICATION AS FILED – PART I

(Column 1)

(Column 2)

SMALL ENTITY

OR

**OTHER THAN
SMALL ENTITY**

| FOR | NUMBER FILED | NUMBER EXTRA |
|---|---|--------------|
| BASIC FEE (37 CFR 1.16(a), (b), or (c)) | N/A | N/A |
| SEARCH FEE (37 CFR 1.16(k), (l), or (m)) | N/A | N/A |
| EXAMINATION FEE (37 CFR 1.16(o), (p), or (q)) | N/A | N/A |
| TOTAL CLAIMS (37 CFR 1.16(i)) | minus 20 = | * |
| INDEPENDENT CLAIMS (37 CFR 1.16(h)) | minus 3 = | * |
| APPLICATION SIZE FEE (37 CFR 1.16(s)) | If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). | |
| MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j)) | | |

| RATE (\$) | FEE (\$) |
|-----------|----------|
| N/A | |
| N/A | |
| N/A | |
| X = | |
| X = | |
| | |
| N/A | |
| TOTAL | |

| RATE (\$) | FEE (\$) |
|-----------|----------|
| N/A | |
| N/A | |
| N/A | |
| X = | |
| X = | |
| | |
| N/A | |
| TOTAL | |

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED – PART II

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

**OTHER THAN
SMALL ENTITY**

| AMENDMENT A | | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|-------------|---|---|-------|---|------------------|
| | Total (37 CFR 1.16(i)) | * 79 | Minus | ** 87 | = 0 |
| | Independent (37 CFR 1.16(h)) | * 14 | Minus | *** 8 | = 6 |
| | Application Size Fee (37 CFR 1.16(s)) | | | | |
| | FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | |

| RATE (\$) | ADDI- TIONAL FEE (\$) |
|--------------------|-----------------------------|
| X = | |
| X = | |
| | |
| N/A | |
| TOTAL ADD'L FEE | |

| RATE (\$) | ADDI- TIONAL FEE (\$) |
|--------------------|-----------------------------|
| X = | |
| X 200 = | 1200 |
| | |
| N/A | |
| TOTAL ADD'L FEE | 1200 |

(Column 1)

(Column 2)

(Column 3)

| AMENDMENT B | | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|-------------|---|---|-------|---|------------------|
| | Total (37 CFR 1.16(i)) | * | Minus | ** | = |
| | Independent (37 CFR 1.16(h)) | * | Minus | *** | = |
| | Application Size Fee (37 CFR 1.16(s)) | | | | |
| | FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | |

| RATE (\$) | ADDI- TIONAL FEE (\$) |
|--------------------|-----------------------------|
| X = | |
| X = | |
| | |
| N/A | |
| TOTAL ADD'L FEE | |

| RATE (\$) | ADDI- TIONAL FEE (\$) |
|--------------------|-----------------------------|
| X = | |
| X = | |
| | |
| N/A | |
| TOTAL ADD'L FEE | |

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)
OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

Complete if Known

| | | | |
|----------------------|----------------------|-----------|------|
| Application Number | 10/003,128 | Conf. No. | 5299 |
| Filing Date | 11/14/2001 | | |
| First Named Inventor | Omura | | |
| Examiner Name | Patrick H. Cathey II | | |
| Art Unit | 2613 | | |
| Attorney Docket No. | RSM013001 | | |

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1200.00)

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit Account Number
Deposit Account Name

502487

The Commissioner is authorized to: (check all that apply)

☒ Credit any overpayments, and charge any underpayments, except for the issue fee, to the above-identified deposit account, during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee, to the above-identified deposit account**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1011 | 300 | 2011 | 150 | Utility filing fee | |
| 1002 | 350 | 2002 | 175 | Design filing fee | |
| 1003 | 550 | 2003 | 275 | Plant filing fee | |
| 1004 | 300 | 2004 | 150 | Reissue filing fee | |
| 1005 | 200 | 2005 | 100 | Provisional filing fee | |

SUBTOTAL (1) (\$0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | | Extra Claims | | Fee from Below | Fee Paid |
|--------------|--------------------|--------------|-------|----------------|----------|
| Independent | Multiple Dependent | -20**= | -3**= | | |
| | | | | 50 | |
| | | | 6 | 200 | 1200 |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|---|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 50 | 2202 | 25 | Claims in excess of 20 |
| 1201 | 20 | 2201 | 100 | Independent claims in excess of 3 |
| 1203 | 36 | 2203 | 180 | Multiple dependent claim, if not paid |
| 1204 | 20 | 2204 | 100 | **Reissue independent claims over original patent |
| 1205 | 50 | 2205 | 25 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$1200)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet |
| 1053 | 130 | 1053 | 130 | Non-English specification |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action |
| 1251 | 120 | 2251 | 60 | Extension for reply within first month |
| 1252 | 450 | 2252 | 225 | Extension for reply within second month |
| 1253 | 1020 | 2253 | 510 | Extension for reply within third month |
| 1254 | 1,590 | 2254 | 795 | Extension for reply within fourth month |
| 1255 | 2,160 | 2255 | 1,080 | Extension for reply within fifth month |
| 1401 | 500 | 2401 | 250 | Notice of Appeal |
| 1402 | 500 | 2402 | 250 | Filing a brief in support of an appeal |
| 1403 | 1000 | 2403 | 500 | Request for oral hearing |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding |
| 1452 | 500 | 2452 | 250 | Petition to revive - unavoidable |
| 1453 | 1,500 | 2453 | 750 | Petition to revive - unintentional |
| 1501 | 1,400 | 2501 | 700 | Utility issue fee (or reissue) |
| 1502 | 800 | 2502 | 400 | Design issue fee |
| 1503 | 1100 | 2503 | 550 | Plant issue fee |
| 1464 | 400 | 1464 | 400 | Petitions under 37CFR 1.17(f) (Group I) |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) |
| 1809 | 790 | 2809 | 395 | Filing a submission after final rejection (37 CFR § 1.129(a)) |
| 1810 | 790 | 2810 | 395 | For each additional invention to be examined (37 CFR § 1.129(b)) |
| 1801 | 790 | 2801 | 395 | Request for Continued Examination (RCE) |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$0.00)

SUBMITTED BY

| | | | | | |
|-------------------|-------------------------|-----------------------------------|----------|-----------|--------------|
| Name (Print/Type) | Richard A. Dunning, Jr. | Registration No. (Attorney/Agent) | 42502 | Telephone | 831.420.0561 |
| Signature | | Date | 12-17-05 | | |

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